

May 17, 2010

The Honorable Barack Obama  
President of the United States  
The White House  
1600 Pennsylvania Avenue NW  
Washington, DC 20500

Dear Mr. President:

We write to support and commend the National Mediation Board (NMB) decision of a final rule recognizing a simple majority in airline and rail industry representation elections. We greatly appreciate your leadership on this important labor issue, and we urge your administration to defend this rulemaking if opponents of a democratic labor election process decide to take action in court.

Congress has empowered the NMB to establish the rules that govern these organizing elections, and therefore is legally empowered to make this decision. Prior to this decision, non-voting employees were counted as "no" votes in these organizing elections. We support the NMB's decision to ensure a fair and democratic process, counting "yes" votes as "yes," "no" votes as "no," and non-voting participants as non-votes.

If all employees have a fair opportunity to participate in the election, the will of the *participants* should be reflected in the outcome. In our society, we require a majority of those *who choose to participate* to decide elections. This final rule is more reflective of the democratic procedures the American people expect in our country.

For these reasons, we support the announcement of the final rulemaking to allow airline and rail industries use a simple majority to decide representation, and we know you will take the actions necessary for implementation of this rule effective June 10, 2010.

Sincerely,

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Al Franken  
U.S. SENATOR

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Jim Oberstar  
MEMBER OF CONGRESS

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Betty McCollum  
MEMBER OF CONGRESS